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May 4, 2004

VIA FACSIMILE

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CLIENT/MATTER NUMBER  
071155 0101

Mr. Dan Pinegar  
Attorney  
Federal Election Commission  
999 E Street, NW  
Washington, DC 20463

Re: MUR 5020

Dear Mr. Pinegar:

This is in response to your letter dated April 19, 2004, faxed to my office that day and subsequently received by my office via regular mail on April 22, 2004 with respect to the above-referenced Matter Under Review 5020 ("MUR 5020").

I forwarded your letter to the treasurer of the Gormley for Senate campaign, Mr. Alan Staller as well as to Ms. Jody Herkloz, the individual who was responsible for the fundraising efforts of the campaign. Ms. Herkloz has provided the following responses to your questions. I have continued to request that she also furnish the requested copies of checks and deposit slips for the period of February and March, 2000 and she advised my office last week that such documents have been copied and have been sent to me. However, I have not yet received the documents and will continue to follow up on their receipt.

Here are the responses from Ms. Herkloz to the questions contained in your April 19, 2004 letter:

1a. The exact date of the fundraiser was February 9, 2000.

1b. Steve Wynn, an individual in Las Vegas, asked to host an event for the candidate. Mr. Wynn contacted the candidate directly and planned the event himself. The campaign was/is unaware of the steps taken by Mr. Wynn in planning the event nor was/is the campaign certain of the individuals who were in fact involved in the planning and execution of the event.

1c. The campaign did not invite anyone to this event. The host had his own invitation list. The campaign did not receive a copy of the host's invitation list. The campaign is not aware of how persons were invited to the event.

1d. The following persons attended the fundraiser: Joe Jingoli, Sean Gromley, Gerry Corcoran and Gerard Gormley. They were not representatives of the campaign. These

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individuals were invited to attend the event and paid their own way to Las Vegas to the best of my knowledge.

1e. With no staffer of the campaign in attendance, the host collected the contributions and forwarded them to the campaign via overnight mail. There was a lag time between the event and when the campaign actually received the contributions.

1f. I am currently researching the campaign records to determine if there were any refunded contributions associated with the event.

1g. The host indicated that he would forward the contributions when he had received them all; some the late contributions were not received until after the event.

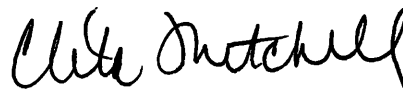
2. The FEC has previously been furnished with a copy of the invoice from LeCirque and the copy of the check drawn on the campaign account which paid for the event. Please notify me if you do not have these documents. To our knowledge, those are the only documents related to the event, other than the checks and deposit slips from the contributions received from the event, which are being copied and forwarded to our attorney's office.

3. The only document retention policy is to retain the records as required by the regulations of the Federal Election Commission. Copies of the deposit slips are in the possession of Mr. Alan Staller, the treasurer of the campaign. Copies of contribution checks are being forwarded to Ms. Mitchell's office as per your request.

**Conclusion:** Mr. Pinegar, the above-referenced responses from Ms. Herkloz represent the information received to date. I have also requested that Mr. Staller and Mr. Gormley provide any additional information known to them in response to the questions you have posed. I will forward their responses upon receipt and have asked that those responses be provided this week.

Thank you for your cooperation and patience. I will continue to provide information as soon as it becomes available and to urge the campaign to be fully forthcoming in providing responses to your requests. Please contact me if you have any questions regarding this response. (202) 295-4081.

Sincerely,



Cleta Mitchell, Esq.  
Counsel to Gormley for Senate, Respondent

cc: Mr. Alan Staller, Treasurer